

CERTIFIED TRANSLATION

BY OLGA M. ALICEA, FCCI, NJITCE-S



GOVERNMENT OF PUERTO RICO

Department of Health

March 12, 2020

Diana Meléndez Díaz

Acting Director

Office of Procurement and Bids

Department of Health

REQUEST FOR EMERGENCY CORONA VIRUS FUNDS

As you know, the Department of Health is preparing given the event of the declared COVID-19 pandemic, Coronavirus. In order to supply the Agencies of the Department of Health and other agencies that will directly handle the emergency, we request the acquisition of the following items:

1. Rapid Tests for the Detection of COVID-19
2. Masks
3. Waterproof robes
4. Gloves.
5. Thermometers
6. Face shields
7. Disinfectants
8. Shoe covers
9. Mechanical Fans
10. Monitors
11. and/or other relates items

We would appreciate it these materials were purchased due to an Emergency pursuant to Administrative Order number 422 of the Department of Health.

Cordially,
(Signature illegible)

Sr

to. Adil M. Rosa Rivera

Assistant Secretary

Assistant Secretary of Administration

Department of Health

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GOVERNMENT OF PUERTO RICO

Department of Health

ADMINISTRATIVE ORDER NO. **42.2-**

ADMINISTRATIVE ORDER OF THE SECRETARY OF HEALTH TO AUTHORIZE THE PURCHASE AND/OR ACQUISITION OF MATERIALS, EQUIPMENT, SUPPLIES, SERVICES AND/OR PROCUREMENT OF PROFESSIONAL SERVICES AND/OR ANY OTHER URGENT ADMINISTRATION ACTIONS NECESSARY TO PREVENT AND COMBAT THE NEW CORONAVIRUS KNOWN AS COVID-19, UNDER THE AUTHORITY CONFERRED BY LAW NUMBER 81 OF 14 MARCH 1912, AS AMENDED

WHEREAS: The Department of Health was created pursuant to the provisions of Law No. 81 of March 14, 1912, as amended and elevated to constitutional rank on July 25, 1952, pursuant to the provisions of Article IV, Section 6 of the Constitution of the Commonwealth of Puerto Rico.

WHEREAS: The Constitution of Puerto Rico, as well as Law No. 81, *supra*, provide that the Secretary of Health will be the Head of the Department of Health and will be in charge of all matters that by law are entrusted in connection with health, public health, and public wellbeing, except those in connection with the maritime quarantine service.

WHEREAS: The Enabling Act of the Department of Health, Law No. 81, *supra*, establishes that in the event that an epidemic threatens the health of the People of Puerto Rico, the Secretary of Health will take such measures as he deems necessary to combat it and with the Governor's approval will incur the necessary expenses on behalf of the State Government, charged to the State Emergency Fund.

WHEREAS: The Center for Disease Control and Prevention (CDC) is closely monitoring the outbreak of respiratory disease caused by a new coronavirus that was first identified in Wuhan, in the Hubei Province, in China, known as COVID-19.

WHEREAS: COVID-19 is a respiratory condition that can spread from person to person and can cause various symptoms, the direct transmission of which occurs through the drops produced by coughing, sneezing, and/or speaking.

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WHEREAS: The saliva droplets can travel between three (3) to six (6) feet (2 to 3 meters) and some studies indicate that it can reach up to sixteen (16) feet (5 meters). Indirect transmission occurs when a susceptible person comes in contact with a contaminated surface or an object could be contaminated by COVID-19 if an infected person coughs or sneezes on it or touches them with contaminated hands.

WHEREAS: The Constitution and Laws of Puerto Rico empower the Executive Branch to take emergency measures when deemed indispensable to protect the health and safety of Puerto Rico. In the words of the Supreme Court of Puerto Rico, "the concept of 'emergency' is not necessarily limited to an unforeseen circumstance, but includes an event or combination and accumulation of circumstances that require immediate action. 'Emergency' is synonymous with 'urgency', 'haste.'" Meléndez v. Valdejully, p. 32 (1987), (cites omitted).

WHEREAS: The powers of the Department of Health are exercised by the Secretary of Health and he is in turn authorized to adopt the norms, orders, rules, and procedures necessary for the preservation of the life and health of the Puerto Ricans, as well as to take the necessary measures to prevent the spread of diseases.

WHEREFORE: **I, RAFAEL RODRÍGUEZ MERCADO, MD, FAANS, FACS., SECRETARY OF HEALTH OF THE GOVERNMENT OF PUERTO RICO, PROMULGATE ON THIS DATE THIS ADMINISTRATIVE ORDER, IN ACCORDANCE WITH THE AUTHORITY CONFERRED ON ME BY LAW NO. 81 OF MARCH 14, 1912, AS AMENDED, I ORDER AND AUTHORIZE:**

FIRST: That the Department of Health, through its Assistant Secretary for Administration, administrative areas, its components and/or related areas, carry out the urgent and necessary steps for the prevention and care of COVID-19.

SECOND: That understood as urgent and necessary steps is the purchase of equipment in general, purchase of medical equipment, purchase of medical materials, purchase of laboratory materials including reagents, purchase of medicines, purchase of protective materials, purchase of supplies, repair services to hospitals and/or direct services health agencies, leasing of equipment and materials, contracting of professional services, and any administrative action necessary for the prevention and care of COVID-19.

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THIRD: That all the transactions described in the **SECOND** subsection of this Administrative Order must be duly documented and be under the custody of the Assistant Secretary of Administration and/or any other component of the Department of Health closely related to the transactions described and related to the prevention of COVID-19.

This Administrative Order will be effective immediately and its effectiveness will last as long as the situation with COVID-19 lasts or until the Secretary orders otherwise. All memoranda and Administrative Orders previously issued by any Secretary of Health to the extent that their provisions are incompatible with the provisions of this Order will be repealed and without any legal effect.

IN WITNESS WHEREOF, I sign this Administrative Order and have stamped hereon the seal of the Department of Health of the Government of Puerto Rico, today, March 11, 2020, in San Juan, Puerto Rico.

(Signed)

RAFAEL RODRIGUEZ MERCADO, MD, FAANS, FACS
SECRETARY OF HEALTH

CERTIFICATION

I, Olga M. Alicea, an English-Spanish Interpreter and Translator certified to that effect by the Administrative Office of the U.S. Courts and by the National Association of Judiciary Interpreters & Translators (NAJIT), do hereby certify that I have personally translated the foregoing document from Spanish to English and that the translation is true and accurate to the best of my knowledge and abilities.

S/ Olga M. Alicea
Olga M. Alicea, FCCI, NJITCE-S
Fed. Cert. No. 98-005

May 31, 2020
Date
Ref.: P1701.841(CGB)